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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,826	03/30/2001	Ken Umeno	205483US-2X	5270
22850	7590	11/17/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			TSE, YOUNG TOI	
			ART UNIT	PAPER NUMBER
			2637	

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/820,826

Applicant(s)

UMENO, KEN

Examiner

YOUNG T. TSE

Art Unit

2637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12, 26-35 and 37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1-12, 26-35 and 37 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |  |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10272005</u> | 6) <input type="checkbox"/> Other: ____  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the selecting section and the parameter transmitting section as recited in claims 6-7, 9-12, 31-32 and 34-35 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

2. Claims 1-12, 26-35 and 37 are objected to because of the following informalities:

In claim 1:

Line 1, there is no space between " $\leq$ " and "s";

Line 4, "which" should be "the";

Line 6, " $\leq Y_3$ " should be " $\leq Y_s$ ";

Line 7, "..." should be "...,";

Line 8, "0..." and " $q_2 \dots$ " should be "0,...," and " $q_2, \dots,$ ";

Line 12, and " $q_2 \dots$ " should be " $q_2, \dots,$ "; also see claim 4 (line 2),

Lines 19, 20 and 21, there should be a space between "]" and ","; and

Between line 20 and line 21, there should be three vertical dots "." between the two equations. See the originally filed claim 1.

Also see claim 26, lines 3, 5, 9, 17, and 20-22 for the same reasons set forth described in claim 1 above.

In claim 5, line 2, "an input" should be "a signal" and line 3, "a pseudo-random" should be "the pseudo-random". Also see claim 30 (lines 3 and 4) and claim 33 (line 4).

In claim 6, line 2, "sequence" and "integer" should be "the sequence" and "the integer" and line 7, "a pseudo-random" should be "the pseudo-random". Also see claims 7, 9-10, 11 (lines 10, 15, 25-26 and 28), claim 12 (lines 10-11, 13, 23, 28 and 30), claims 31-32 and 34-35.

In claim 8, lines 1 and 7, "a pseudo-random" and "inversely spectrum spread" should be "the pseudo-random" and "despread", respectively.

In claim 11:

Line 3, "an input" should be "a signal";

Lines 4 and 19, "a pseudo-random" should be "the pseudo-random";

Line 19, "an output unit" should be "the output unit"; and

Line 23, "inversely spectrum spread signal as a signal" should be "despread signal as the signal". Also see claim 33 (line 8).

In claim 12:

Line 3, "an input" should be "a signal";

Lines 4 and 17, "a pseudo-random" should be "the pseudo-random";

Line 21, "inversely spectrum spread signal as a signal" should be "despread signal as the signal"; and

Line 32, "receiver" should be "receiver also".

Also see claim 33, lines 4 and 8.

In claim 37, line 1 "A data" should be "The data".

The dependent claims 2-3 and 27-29 are depended over claims 1 and 26.

Appropriate correction is required.

***Allowable Subject Matter***

3. Claims 1-12, 26-35 and 37 would be allowable if rewritten or amended to overcome the objection(s) set forth in this Office action.

***Conclusion***

4. This application is in condition for allowance except for the following formal matters:

The drawing objection of claims 6-7, 9-12, 31-32 and 34-35 and the claim objection of claims 1-12, 26-35 and 37 set forth described in paragraphs 1 and 2 above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

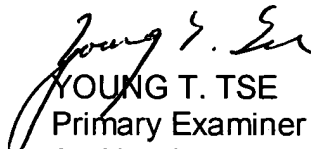
A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOUNG T. TSE whose telephone number is (571) 272-3051. The examiner can normally be reached on Monday-Thursday and alternative Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on (571) 272-2988. The Central FAX Number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
YOUNG T. TSE  
Primary Examiner  
Art Unit 2637